



# A G E N D A

## OCONEE COUNTY COUNCIL MEETING

### November 15, 2022

### 6:00 PM

Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

#### Call to Order

#### Moment of Silence

#### Invocation by County Council Chaplin

#### Pledge of Allegiance to the Flag of the United States of America

#### Approval of Minutes

October 18, 2022 Regular Minutes

#### County Attorney Comments

#### County Administrator Comments

#### Proclamations

**PROCLAMATION 2022-18** A PROCLAMATION HONORING MR. RICKY SMITH, SENIOR AUTO SERVICER, UPON HIS RETIREMENT

**PROCLAMATION 2022-19** A PROCLAMATION HONORING CAPTAIN DAVID B. SMITH UPON HIS RETIREMENT FROM THE OCONEE COUNTY SHERIFF'S OFFICE

**PROCLAMATION 2022-20** A PROCLAMATION DECLARING NOVEMBER 2022 AS AGRICULTURAL AWARENESS MONTH

#### Public Comment Session

*[Limited to a total of forty (40) minutes, four (4) minutes per person]*

*If you are not able to attend in person and you have a comment, you may submit it by emailing [jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com) or calling 864-718-1023, so that your comment may be read into the record.*

#### Council Member Comments

**Public Hearings for the Following Ordinances** *If you would like to be heard during either of the public hearings, please contact Clerk to Council Jennifer C. Adams at [jennifercadams@oconeesc.com](mailto:jennifercadams@oconeesc.com) or 864-718-1023 so that your participation may be coordinated.*

#### COUNCIL MEMBERS

John Elliott, Chair, District I

Paul Cain, Vice-Chair, District III

Julian Davis, III, Chair Pro Tem, District IV

District II

Glenn Hart, District V

**ORDINANCE 2022-27** AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 2022-01 (AS SUPPLEMENTED BY ORDINANCE 2022-19), WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL PROJECTS FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023, IN ORDER TO EFFECT A SUPPLEMENTAL APPROPRIATION; AND OTHER MATTERS RELATED THERETO.

**Third Reading of the Following Ordinances**

*None scheduled for this meeting.*

**Second Reading of the Following Ordinances**

**ORDINANCE 2022-22** AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, BY ADDING A PROVISION PROVIDING FOR PREAPPROVAL BY THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION IN RELATION TO SUBDIVISION PLANS SUBMITTED FOR PRELIMINARY APPROVAL TO OCONEE COUNTY FOR PROPERTIES WITH ROAD FRONTAGE ON U.S. HIGHWAY 123, BETWEEN THE OCONEE COUNTY - PICKENS COUNTY BORDER AND THE EASTERNMOST BOUNDARY OF THE CITY OF SENECA; AND OTHER MATTERS RELATED THERETO.

**ORDINANCE 2022-27** AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 2022-01 (AS SUPPLEMENTED BY ORDINANCE 2022-19), WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL PROJECTS FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023, IN ORDER TO EFFECT A SUPPLEMENTAL APPROPRIATION; AND OTHER MATTERS RELATED THERETO.

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Glenn Hart, District V

## First Reading of the Following Ordinances

**ORDINANCE 2022-24** AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, BY REVISING THE LOT SIZE AND DENSITY STANDARDS APPLICABLE TO THE LAKE OVERLAY DISTRICT; AND OTHER MATTERS RELATED THERETO.

**ORDINANCE 2022-26** AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 6 OF THE OCONEE COUNTY CODE OF ORDINANCES IN RELATION TO THE ADOPTION OF MANDATORY AND PERMISSIVE BUILDING AND RELATED CODES AND STANDARDS; AND OTHER MATTERS RELATED THERETO.

**ORDINANCE 2022-28** AN ORDINANCE TO APPROPRIATE AND AUTHORIZE THE EXPENDITURE OF UP TO \$2,000,000 OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (“ARPA”) FOR PURPOSES OF PROVIDING ADDITIONAL FUNDING FOR THE SEWER SOUTH PROJECT; AND OTHER MATTERS RELATED THERETO.

**ORDINANCE 2022-29** AN ORDINANCE TO AMEND CHAPTER 4 OF THE OCONEE COUNTY CODE OF ORDINANCES, ENTITLED THE OCONEE COUNTY ANIMAL CONTROL ACT; AND OTHER MATTERS RELATED THERETO.

**ORDINANCE 2022-30** AN ORDINANCE TO APPROPRIATE AND AUTHORIZE THE EXPENDITURE OF SIX HUNDRED THIRTY-EIGHT THOUSAND, TWO HUNDRED TWENTY-NINE AND 00/100 (\$638,229.00) DOLLARS OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (“ARPA”) FOR CONSTRUCTION OF THE BOUNTYLAND FIRE SUBSTATION; AND OTHER MATTERS RELATED THERETO.

## First & Final Reading for the Following Resolutions

*None scheduled for this meeting.*

## Discussion Regarding Action Items

**Discuss Opioid Recovery Fund proposed uses and authorize the County Administrator to make an application for available funds.**

**Title: Shelter for High Falls Park**

**Department: PRT**

**Amount: \$268,990.18**

**Contingency (10%): \$ 26,899.02**

**Total Amount: \$295,889.20**

**Procurement was approved by Council in Fiscal Year 2022-2023 budget process.**

**Budget: \$ 295,889.20 Project Cost: \$ 295,889.20 Balance: \$ 0.00**

**(Funding for this project is from Capital PRT Millage Fund)**

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This request is for the purchase and installation / construction of a new turnkey point shelter for High Falls County Park. The existing point shelter is nearing fifty years old and is beginning to show signs of structural rot. This shelter is available for the public to reserve for gatherings and weddings. The new shelter will incorporate the existing stone fireplace. The grill is currently located under the existing shelter; this project will relocate it to a designated grilling area outside the shelter. By relocating the grilling area there will be more space for events under the shelter.

The turnkey shelter project includes: demolition of existing structure and concrete, any site preparations that will be required, permits, electrical, concrete, and installation. In addition to the shelter, the project includes adding a concrete patio area outside the shelter for additional gathering space to be used by park patrons.

The County is utilizing the H-GAC (Houston-Galveston Area Council of Governments) contract through a cooperative purchasing agreement. H-GAC cooperative purchasing allows government agencies to purchase directly from the manufacturer or authorized dealers. H-GAC contracts are bid and awarded on a national level and purchases may be fulfilled by the manufacturer and / or authorized local or state dealers.

Cedar Forest Products, LLC was awarded an HGAC contract under contract number PR11-20.

*It is the staff's recommendation that Council:*

- 1. Award the purchase and construction of the point shelter for High Falls County Park to Cedar Forest Products, LLC., located in West Olive, MI, in the amount of \$268,990.18 plus 10% contingency in the amount of \$26,899.02, for a total award of \$295,889.20.*
- 2. Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.*
- 3. Approve waiving the County Permit and Plan Review fees for this project.*

**Procurement #: PO 55153 Change Order 1 – Trane U.S. Inc.**

**Department: Law Enforcement Center**

<b>PO Amount:</b>	<b>\$ 41,825.00</b>
<b>CO #1:</b>	<b>\$ 23,250.00</b>
<b>PO Total:</b>	<b>\$ 65,075.00</b>
<b>10% Contingency:</b>	<b>\$ 6,507.50</b>
<b>Total Award:</b>	<b>\$ 71,582.50</b>

**Procurement was approved by Council in Fiscal Year 2022-2023 budget process.**

**Budget: \$29,757.50    Project Cost: \$29,757.50    Balance: \$0.00**

The existing variable air volume (VAV) boxes were originally installed in 2003 and approximately 75% of the current boxes are malfunctioning. They no longer heat the space they are responsible for and cannot maintain the static pressure within the air ducts. The original VAV boxes were manufactured by KMC who no longer manufactures the model or repair parts required to bring the boxes to working condition; therefore, replacement is not an option.

With temperature's in these offices staying in the low 60's staff deemed it necessary move forward with phases 1 and 2, in order to get some heat in the building working properly. Procurement issued Purchase Order Number 55153 to Trane U.S. of Atlanta, GA in the amount of \$41,825.00 for Phase 1 and 2 for the upgrade/retrofit of the VAV controls at the Oconee County Sheriff's Office. The retrofitting of the VAV boxes includes new mechanics, controls, and thermostats within the Sheriff's Office, administrative corner, records area, communications, and the judicial support areas of the building. The retrofitting is needed to ensure the VAV boxes can effectively heat the areas and control the static pressure within the air ducts.

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The requested change order, in the amount of \$23,250.00, is to add Phase 3 and 4 for the remaining areas of the building that also require VAV upgrades/retrofit. These spaces include: 2<sup>nd</sup> floor offices, conference rooms, and reception areas. A 10% contingency, in the amount of \$6,507.50, is requested to cover any unforeseen items that may arise during the upgrades/retrofit.

The current HVAC system installed at the Sheriff's Office is Trane. The VAV boxes will be upgraded/retrofitted by the manufacturer and their authorized service personnel.

***It is the staff's recommendation that Council:***

- 1. Approve PO 55153 CO-1 in the amount of \$23,250.00, which makes the total purchase order amount \$65,075.00.***
- 2. Approve a 10% contingency in the amount of \$6,507.50 and authorize the County Administrator to approve any change orders within the contingency amount.***
- 3. Authorize the County Administrator to transfer sufficient funds for the above project to the department's appropriate line item.***

**Procurement #: RFP 22-06 Title: On Call Program/Construction Management Consultant**

**Department(s): All**

**Amount: TBD**

There is no dollar amount associated with this approval at this time. All County departments with a budget for this service may utilize this RFP as long as they do not exceed their budgeted amounts for these services. Any future projects under this RFP / Contract that exceeds \$50,000 will be brought to Council for approval.

Procurement Staff issued RFP 22-06 for On Call Program/Construction Management Consultant to solicit proposals for a consulting firm to provide professional program / construction management and design services as needed for projects with a focus on new construction, infrastructure and ground-up projects, additions, remodels and/or alteration to existing facilities, including but not limited to, office buildings, essential services facilities, court facilities, detention centers, maintenance buildings and site work. These services would include Pre-Design Services, Procurement Assistance, Design Phase Services, Construction Phase Services and Transition Phase Services.

The Awarded firm will serve as the County's advocate and partner to develop projects that are well-designed and constructed, delivered on time and within approved budgets on an As-Needed Basis. RFP 22-06 On Call Program/Construction Management Consultant was issued on September 22, 2022 and sent to 6 firms. Five proposals were received on October 18, 2022.

An Evaluation Committee consisting of County Staff reviewed / scored all responses and recommended interviewing all Firms scoring above 300 points in Round 1. The Committee conducted interviews on November 1, 2022 and unanimously recommended Skanska USA Building, Inc. of Atlanta, GA for award.

This contract will be for one year, with four additional one-year renewals, if all work is satisfactory.

***It is the staff's recommendation that Council:***

- 1. Approve the award of RFP 22-06, On Call Program/Construction Management Consultant, to Skanska USA Building, Inc. of Atlanta, GA.***
- 2. Authorize the County Administrator to execute the contract documents and renew this contract for up to four (4) one-year renewals, as long as, the services provided are satisfactory.***

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**Title: 2023 Caterpillar 259D3 Track Loader**

**Department: Solid Waste**

**Amount: \$77,000.00**

**Procurement was approved by Council in Fiscal Year 2022-2023 budget process.**

**Budget: \$77,000.00**

**Project Cost: \$77,000.00**

**Balance: \$0.00**

**Funding from Capital Equipment / Vehicle Fund (325)**

The Solid Waste department utilizes skid steers in and around the Material Recovery Facility (MRF) for loading and unloading recyclables. All paper, cardboard, plastic and aluminum cans that are recycled in the MRF are loaded onto the baler conveyor with a skid steer for the material to be baled so they can be shipped to a recycler. The last skid steer was purchased in FY06 and has become unreliable to be used on a daily basis. Over the past 2 years, several major components such as lift arms and control arms have snapped and have been welded back together.

After researching skid steers/track loaders that would meet the requirements of the department, staff determined that the Caterpillar 259D3 Compact Track Loader best met the needs of the Solid Waste Department.

The current skid steer will be sold as surplus or reassigned to another County department at a later date. The County’s Vehicle Maintenance Director approves this purchase.

The SC Materials Management Office has awarded state contract #4400018718 for Caterpillar loaders, skid steer, compact loaders, compact mini-excavators, and articulating loaders to Blanchard Machinery Company, Inc. of Columbia, SC.

***It is the staff’s recommendation that Council approve the purchase of the Caterpillar 259D3 Track Loader from Blanchard Machinery Company of Columbia, SC in the amount of \$77,000.00 per SC State Contract # 4400018718.***

**Title: Bountyland Substation Construction**

**Department(s): Emergency Services**

**Amount: \$1,150,722.40**

**Contingency (10%): \$ 115,072.24**

**Total Award: \$1,265,794.64**

**Procurement was approved by Council in Fiscal Year 2022-2023 budget process.**

**Budget: \$ 1,265,794.64**

**Project Cost: \$1,265,794.64**

**Balance: \$0.00**

On January 19, 2021, Council approved the Design Updates and Construction Award of the Bountyland Substation to J. Davis Construction, Inc., of Westminster, SC. This contract consists of furnishing all labor, materials and equipment needed for the construction of the Bountyland SubStation. The building will include 2 pull-thru bays, kitchen, dayroom, office, 3 bunkrooms, Male and Female bathrooms.

Staff has worked with J. Davis, Inc. to finalize design, plans, drawings and specifications and the project is now ready to begin construction.

J. Davis Construction, Inc. will be utilizing several subcontractors located in Oconee County, SC to complete this project.

This request is for Council Approval for the cost of construction in the amount of \$ 1,150,722.40. Staff is also requesting a 10% contingency in the amount of \$115,072.64, to cover any unforeseen items that may arise. The total construction cost with contingency is \$1,265,794.64.

Funding for the construction of this project will come from

- 1.) Current Bond Balance \$449,553.52
- 2.) ARPA Funds \$638,229.00
- 3.) Balance from Westminster Magistrates Office \$66,673.00
- 4.) Remaining Funds Required \$111,339.12

**COUNCIL MEMBERS**

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Julian Davis, III, Chair Pro Tem, District IV

District II

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*It is the staff's recommendation that Council:*

- 1. Approve the construction of Bountyland Substation to J. Davis, Inc. in the amount of \$1,150,722.40, plus a 10% contingency in the amount of \$ 115,072.24 for a total award of \$1,265,794.64.*
- 2. Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.*
- 3. Approve waiving the County Permit and Plan Review fees for this project.*
- 4. Authorize the use of funding listed in Special Considerations*
- 5. Authorize the County Administrator to transfer funds, in the amount of \$111,339.12, to the departments appropriate line item(s).*

## **Council Committee Reports**

Law Enforcement, Public Safety, Health & Welfare Committee / Mr. Davis .....October 18, 2022

## **Board & Commission Appointments**

*The Board & Commission seats listed below are co-terminus with Council District seats and will require [in the 1st quarter of 2021] appointment and/or reappointment as follows:*

### **Arts and Historical Commission**

1 At-Large Seat: No questionnaire on file for this seat

### **Conservation Bank Board**

District IV Seat: No questionnaire on file for this seat

## **Executive Session**

*[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]*

- 1. Receive legal advice and discuss contractual matter related to potential property acquisition.*

## **Adjourn**

### **COUNCIL MEMBERS**

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Paul Cain, Vice-Chair, District III

Julian Davis, III, Chair Pro Tem, District IV

District II

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